

EXHIBIT A

LATHAM & WATKINS^{LLP}

January 27, 2025

VIA FIRST CLASS MAIL

Acting U.S. Attorney General James R. McHenry III
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530-0001

The Honorable State Attorneys General
on the Enclosed Service List

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715
In re Aimmune Therapeutics, Inc. Securities Litigation, Case No. 3:20-CV-06733-MMC

To Whom It May Concern:

We represent Defendants Aimmune Therapeutics, Inc. (“Aimmune” or the “Company”) and Jayson D.A. Dallas (collectively, “Defendants”) regarding the proposed class action settlement (the “Settlement”) in the action captioned *In re Aimmune Therapeutics, Inc. Securities Litigation*, Case No. 3:20-CV-06733-MMC (the “Action”), pending in the U.S. District Court for the Northern District of California (the “District Court”). In compliance with the Class Action Fairness Act of 2005, 28 U.S.C. § 1715 (“CAFA”), Defendants hereby provide this notice of the proposed class action settlement in this lawsuit.

The Action is a securities class action brought on behalf of all record holders and beneficial holders of Aimmune common stock who, between September 14, 2020 through October 9, 2020, held such stock at any time during the pendency of the tender offer involving Aimmune and Société des Produits Nestlé S.A. (“Nestlé”) and had their shares exchanged for \$34.50 per share in connection with the closing of the merger on October 13, 2020 (the “Class”). Excluded from the Class are: (i) Nestlé and its affiliates; (ii) the officers and directors of the Company and members of their immediate families; (iii) any entity in which Defendants have or had a controlling interest; and (iv) the legal representatives, heirs, successors or assigns of each officer and director of the Company. Also excluded from the Settlement Class are any persons or entities who or which exclude themselves by submitting a request for exclusion that is accepted by the District Court.

On January 17, 2025, Class Representatives Bruce Svitak and Cecelia Pemberton (“Class Representatives” and, together with Co-Lead Plaintiff Barbara Svitak, “Plaintiffs”) on behalf of themselves and all members of the Class filed a Motion for Preliminary Approval Of Settlement, seeking an order to: (1) preliminarily approve the terms of the proposed Settlement; (2) approve the form and method for providing notice of the proposed Settlement and Final Approval Hearing to the Class; and (3) schedule a hearing for final approval of the Settlement. The proposed Settlement provides for the payment of \$27.5 million in cash for the benefit of the Class.

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The hearing for preliminary approval of the Settlement has been scheduled for February 28, 2025 at 9:00 a.m. before the Honorable Maxine M. Chesney in the U.S. District Court of the Northern District of California. *See* Pls.' Mot. Preliminary Approval of Settlement, ECF No. 243. The District Court has not yet entered a final judgment or a notice of dismissal in the Action with respect to Plaintiffs. The documents filed by the Class Representatives seeking approval of the Settlement include a Proposed Final Judgment (ECF No. 244-1, Ex. B). Any further filings in the above-captioned action will be posted on the electronic filing section of the website for the District Court, which can be accessed at the District Court docket in this case, for a fee, through the District Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, at 450 Golden Gate Avenue San Francisco, CA 94102. Additional information regarding the Settlement will be available on the website maintained by Class Representatives' counsel and its claims administrator.

In compliance with CAFA, the following documents referenced below relating to the Settlement are included in the compact disc accompanying this letter:

1. Class Action Complaint, ECF No. 1.
2. Amended Class Action Complaint, ECF No. 52.
3. Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement and Incorporated Memorandum of Law, ECF No. 243.
4. Declaration of Juan E. Monteverde in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, ECF No. 244, and all attached Exhibits, ECF No. 244-1 to 244-6.
5. Stipulation of Settlement, dated January 17, 2025, ECF No. 244-1, which includes:
 - (1) Ex. A, [Proposed] Order Preliminarily Approving Settlement and Providing for Notice;
 - (2) Ex. A-1, Notice of Pendency and Proposed Settlement of Class Action;
 - (3) Ex. A-2, Proof of Claim and Release;
 - (4) Ex. A-3, Summary Notice of Proposed Settlement of Class Action; and
 - (5) Ex. B, [Proposed] Final Judgment and Order of Dismissal with Prejudice.

Defendants have committed to assist Class Representatives' counsel and the claims administrator with identifying members of the Class. It is not possible to estimate the proportionate share of the claims of members of the settlement Class in each state because the portion of the Settlement fund each Class member will receive depends on the number and nature of claims submitted by other Class members. The enclosed Notice describes the Plan of Allocation proposed by counsel for Plaintiffs' and the Class, subject to District Court approval. *See* 28 U.S.C. § 1715(b)(7).

Defendants also advise you that the parties executed a Confidential Supplemental Agreement ("Supplemental Agreement") contemporaneously with the execution of the Stipulation. The Supplemental Agreement sets forth certain conditions under which Defendants shall have the option to terminate the Settlement and render the Stipulation void. The parties have agreed to maintain the confidentiality of the Supplemental Agreement, which shall not be disclosed or filed unless required by the District Court. It is

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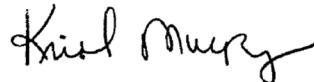
customary for agreements of this nature to remain confidential because, as explained by a leading treatise dealing with such matters, “[k]nowledge of the specific number of opt outs that will vitiate a settlement might encourage third parties to solicit class members to opt out.” Fed. Judicial. Ctr., Manual for Complex Litigation (4th ed.) § 21.631.

Any correspondence on the proposed Settlement should be sent no later than 90 days from the date of this letter to the Clerk of the Court at 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102-3489. Copies of any such correspondence should also be sent to the individuals listed below at the following addresses:

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Please do not hesitate to contact me if you have any questions.

Respectfully,



Kristin N. Murphy
of LATHAM & WATKINS LLP

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